

By the United States in Congress assembled. A proclamation

BY THE UNITED STATES IN CONGRESS ASSEMBLED: A PROCLAMATION.

WHEREAS in pursuance of a plenipotentiary commission, given on the twenty ninth day of December, one thousand seven hundred and eighty, to the hon. John Adams, esq: a treaty of amity and commerce between their high mightinesses, the states general of the united Netherlands, and the united states of Ame rica, was, on the eighth day of October, one thousand seven hundred and eighty-two, concluded by the said John Adams, with plenipotentiaries named for that purpose by their said high mightinesses the states general of the united Netherlands: and whereas the said treaty hath been this day approved and ratified by the united states in congress assembled, as the same is contained in the words following, to wit.

A TREATY of AMITY and COMMERCE, between their High Mightinesses, the States General of the United Netherlands, and the United-States of America, to wit, New Hampshire, Massachusetts, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

THEIR high mightinesses, the states general of the united Netherlands, and the united states of America, to wit, New-Hampshire, Massachusetts, Rhode-Island and Providence plantations, Connecticut, New-York, Virginia, North-Carolina, South-Carolina and Georgia, desiring to ascertain, in a permanent and equitable manner, the rules to be observed, relative to the commerce and correspondence which they intend to establish between their respective states, countries and inhabitants, have judged that the said end cannot be better obtained, than by establishing the most perfect equality and reciprocity for the basis of their agreement, and by avoiding all those burthensome preferences which are

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usually the sources of debate, embarrassment and discontent; by leaving also each party at liberty to make, respecting commerce and navigation, such ulterior regulations as it shall find most convenient to itself, and by founding the advantages of commerce solely upon reciprocal utility and the just rules of free intercourse, reserving with all, to each party, the liberty of admitting, at its pleasure, other nations to a participation of the same advantages.

On these principles their said high mightinesses, the states general of the united Netherlands, have named for their plenipotentiaries, from the midst of their assembly, messieurs their deputies for the foreign affairs; and the said united states of America, on their part, have furnished with full powers Mr. John Adams, late commissioner of the united states of America at the court of Versailles, heretofore delegate in congress from the state of Massachusetts-Bay, and chief justice of the said state; who have agreed and concluded as follows, to wit:

Article 1. There shall be a firm, inviolable and universal peace and sincere friendship between their high mightinesses, the lords, the states general of the unit between the subjects and inhabitants of the said parties, and between the countries, islands, cities and places, situated under the jurisdiction of the said united Netherlands and the said united states of America, their subjects and inhabitants of every degree, without exception of persons or places

Art. 2. The subjects of the said states general of the united Netherlands, shall pay in the ports, havens, roads, countries, islands, cities or places of the united states of America, or any of them, no other nor greater duties or imposts, of whatever nature or denomination they may be, than those which the nations the most favoured are or shall be obliged to pay; and they shall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce which the said nations do or shall enjoy, whether in passing from one port to another in the said states, or in going from any of those ports to any foreign port of the world, or from any foreign port of the world to any of those ports.

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Art. 3. The subject, and inhabitants of the said united states of America, shall pay in the ports, havens, roads, countries, islands, cities or places of the said united Netherland, or any of them, no other nor greater duties or imposts of whatever nature or denomination they may be, than those which the nations the most favoured are or shall be obliged to pay; and they shall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, which the said nations do or shall enjoy, whether in passing from one port to another in the said states, or from any one towards any one of those ports, from or to any foreign port of the world: and the united states of America, with their subjects and inhabitants, shall leave to those of their high mightinesses, the peaceable enjoyment of their rights in the countries, islands and seas in the East and West-Indies, without any hindrance or molestation.

Art. 4. There shall be an entire and perfect liberty of conscience allowed to the subjects and inhabitants of each party, and to their families, and no one shall be molested in regard to his worship, provided he submits as to the public demonstration of it, to the laws of the country: There shall be given moreover liberty, when any subjects or inhabitants of either party shall die in the territory of the other, to bury them in the usual burying places or in decent and convenient grounds to be appointed for that purpose, as occasion shall require: and the dead bodies of those who are buried, shall not in anywise be molested. And the two contracting parties shall provide each one in his jurisdiction, that their respective subjects and inhabitants may hence forward obtain the requisite certificates in cases of deaths in which they shall be interested.

Art. 5. Their high mightinesses, the states general of the united Netherlands and the united states of America shall endeavour, by all the means in their power, to defend and protect all vessels and other effects belonging to their subjects and inhabitants respectively, or to any of them, in their ports, roads, havens, internal seas, passes, rivers, and as far as their jurisdiction extends at sea, and to recover and cause to be restored to the true proprietors, their agents or attornies, all such vessels and effects, which shall be taken

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under their jurisdiction: and their vessels of war, and convoys, in cases, when they may have a common enemy, shall take under their protection all the vessels, belonging to the subjects and inhabitants of either party, which shall not be laden with contraband goods, according to the description which shall be made of them hereafter, for places, with which one of the parties is in peace, and the other at war, nor destined for any place blocked, and which shall hold the same course or follow the same rout; and they shall defend such vessels as long as they shall hold the same course, or follow the same rout, against all attacks, force and violence of the common enemy, in the same manner, as they ought to protect and defend the vessels, belonging to their own respective subjects.

Art. 6. The subjects of the contracting parties may, on one side and on the other, in the respective countries and states, dispose of their effects by testament, donation or otherwise; and their heirs, subjects of one of the parties, and residing in the country of the other, or elsewhere, shall receive such successions, even ab intestato, whether in person or by their attorney or substitute, even although they shall not have obtained letters of naturalization, without having the effect of such commission contested under pretext of any rights or prerogatives of any province, city or private person; and if the heirs, to whom such successions may have taken, shall be minors, the tutors or curators, established by the judge domiciliary, of the said minors, [may?] govern, direct, administer, sell and alienate the effects fallen to the said minors, by inheritance, and in general, in relation to the said successions and effects, use all the rights and fulfill all the functions, which belong by the disposition of the laws, to guardians, tutors, and curators: provided nevertheless, that this disposition cannot take place, but in cases where the testator shall not have named guardians, tutors, curators by testament, codicil, or other legal instrument.

Art. 7. It shall be lawful and free for the subjects of each party, to employ such advocates, attornies, notaries, solicitors or factors, as they shall judge proper.

Art. 8. Merchants, masters and owners of ships, mariners, men of all kinds, ships and vessels, and all merchandizes, and goods in general, and effects of one of the

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confederates, or of the subjects thereof, shall not be seized or detained in any of the countries, lands, islands, cities, places, ports, shores, or dominations whatsoever of the other confederate, for any military expedition, public or private use of any one, by arrests, violence, or any colour thereof; much less shall it be permitted to the subjects of either party, to take or extort by force, any thing from the subjects of the other party, without the consent of the owner: Which however is not to be understood of seizures, detentions and arrests, which shall be made by the command and authority of justice, and by the ordinary methods on account of debts or crimes, in respect whereof, the proceedings must be, by way of law, according to the forms of justice.

Art. 9. It is further agreed and concluded, that it shall be wholly free for all merchants, commanders of ships and other subjects and inhabitants of the contracting parties, in every place subjected to the jurisdiction of the two powers respectively, to manage themselves, their own business: and moreover as to the use of interpreters or brokers, as also in relation to the loading or unloading of their vessels, and every thing which has relation thereto, they shall be, on one side and on the other, considered and treated upon the footing of natural subjects, or at least upon an equality with the most favoured nation.

Art. 10. The merchant-ships of either of the parties coming from the port of an enemy, or from their own or a neutral port, may navigate freely towards any port of an enemy of the other ally: they shall be, nevertheless, held, whenever it shall be required, to exhibit, as well upon the high seas as in the ports, their sea-letters and other documents, described in the twenty-fifth article, stating expressly that their effects are not of the number of those, which are prohibited as contraband: And not having any contraband goods, for an enemy's port, they may freely and without hindrance, pursue their voyage towards the port of an enemy. Nevertheless it shall not be required to examine the papers of vessels convoyed by vessels of war, but credence shall be given to the word of the officer, who shall conduct the convoy.

Art. 11. If by exhibiting the sea letters, and other documents described more particularly in the twenty fifth article of this treaty, the other party shall discover there are any of those sorts of goods, which are declared prohibited and contraband, and that they are consigned for a port under the obedience of his enemy, it shall not be lawful to break up the hatches of such ship, nor to open any chest, coffer, packs, calks, or other vessels found therein, or to remove the smallest parcel of her goods, whether the said vessel belongs to the subjects of their high mightinesses, the states general of the united Netherlands, or to the subjects or inhabitants of the said united states of America, unless the lading be brought on shores, in presence of the officers of the court of admiralty, and an inventory thereof made, but there shall be no allowance, to sell, exchange, or alienate the same, until after that due and lawful process shall have been had against such prohibited goods of contraband, and the court of admiralty by a sentence pronounced shall have confiscated the same, saving always as well the ship itself as any other goods found therein, which are to be esteemed free, and may not be detained on pretence of their being infected by the prohibited goods, much less shall they be confiscated as lawful prize: But on the contrary when by the visitations at land, it shall be found that there are no contraband goods in the vessel, and it shall not appear by the papers that he who has taken and carried in the vessel has been able to discover any there, he ought to be condemned in all the charges, damages and interests of them, which he shall have caused both to the owner of vessels and to the owners and freighters of cargoes, with which they shall be loaded, by his temerity in taking and carrying them in, declaring most expressly the free vessels shall assure the liberty of the effects with which they shall be loaded, and that this liberty shall extend itself equally to the persons who shall be found in a free vessel, who may not be taken out of her, unless they are military men, actually in the service of an enemy.

Art. 12. On the contrary it is agreed, that whatever shall be found to be laden by the subjects and inhabitant of either party, on any ship belonging to the enemies of the other, or to their subjects, although it be not comprehended under the sort of prohibited goods, the whole may be confiscated, in the same manner as if it belonged to the enemy, except

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nevertheless such effects and merchandizes, as were put on board such vessel, before the declaration of war or in the space of six months after it, which effects shall not be in any manner subject to confiscation, but shall be faithfully and without delay restored in nature to the owners, who shall claim them or cause them to be claimed, before the confiscation and sale, as also their proceeds, if the claim could not be made but in the space of eight months, after the sale, which ought to be public: provided nevertheless, that if the said merchandizes are contraband, it shall by no means be lawful to transport them afterwards to any port belonging to enemies.

Art. 13. And that more effectual care may be taken for the security of subjects and people of either party, that they do not suffer molestation from the vessels of war, or privateers of the other party, it shall be forbidden to all commanders of vessels of war, and other armed vessels of the said states general of the united Netherlands, and the said united states of America, as well as to all their officers, subjects and people, to give any offence or do any damage to those of the other party; and if they act to the contrary, they shall be upon the first complaint which shall be made of it, being found guilty after a just examination, punished by their proper judges, and moreover obliged to make satisfaction for all damages and interests thereof, by separation, under pain and obligation of their persons and goods.

Art. 14. For further determine of what has been said, all captains of privateers, or sitters-out of vessels armed for war, under commission and on account of private persons, shall be held before their departure, to give sufficient caution before competent judges, either to be entirely responsible for the malversations which they may commit in their cruises or voyages, as well as for the contraventions of their captains and officers, against the present treaty, and against the ordinances and edicts which shall be published in consequence of, and conformity to it, under pain for forfeiture and nullity of the said commission.

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Art. 15. All vessels and merchandizes of whatsoever nature, which shall be rescue out of the hands of any pirates or robbers, navigating the high seas without requisite commissions, shall be brought into some port of one of the two states, and deposited in the hands of the officers of that port, in order to be restored entire to the true proprietor, as soon as due and sufficient proofs shall made, concerning the property thereof.

Art. 16. In any ships or vessels belonging to either of the parties, their subjects or people shall within the coasts or dominations of the other, stick upon the sands or be wrecked, or suffer any other sea damage, all friendly assistance and relief shall be given to the persons shipwrecked, or such as shall be in danger thereof; and the vessels, effects and merchandizes, or the part of them which shall have been saved, or the proceeds of them, if being perishable they shall have been sold, being claimed within a year and a day, by the masters or owners, or their agents, or attornies, shall be restored, paying only the reasonable charges, and that which must be paid, in the same case, for the salvage, by the proper subjects of the country: there shall also be delivered them safe conducts or passports, for their free and safe passage from thence, and to return each one to his own country.

Art. 17. In case the subjects of people of either party with their shipping, whether public and of war, or private and of merchants, be forced through stress of weather, pursuit of pirates or enemies, or any other urgent necessity, for seeking of shelter and harbour, to retreat and enter into any of the rivers, creeks, bays, ports, roads or shores belonging to the other party, they shall be received with all humanity and kindness, and enjoy a friendly protection and help, and they shall be permitted to refresh and provide themselves at reasonable rates, with victuals and all things needful for the sustenance of their persons, or reparation of their ships, and they shall no ways be detained or hindred from returning out of the said ports or roads, but may remove and depart when and whither they please, without any let or hindrance.

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Art. 18. For the better promoting of commerce on both sides, it is agreed, that if a war should break out, between their high mightinesses the states general of the united Netherlands and the united states of America, there shall always be granted to the subjects on each side, the term of nine months, after the date of the capture, or the proclamation of war; to the end that they may retire with their effects, and transport them where they please; which it shall be lawful for them to do, as well as to sell or transport their effects and goods in all freedom, and without any hindrance, and without being able to proceed during the said term of nine months, [o?] any arrest of their effects, much less of their persons; on the contrary, there shall be given them, for their vessels and their effects which they would carry away, passports and safe conducts, for the nearest ports of their respective countries; and for the [?] necessary for the voyage, and no prize made at sea shall be adjudged lawful, at least if the declaration of war was not or could not be know, in the last port, which the vessel taken has quitted, but for whatever may have been taken from the subjects and inhabitants of either party, and for the offences which may have been given them, in the interval of the said terms, a compleat satisfaction shall be given them.

Art. 19. No subject of their high mightinesses the states general of the united Netherlands, shall apply for or take any commission or letters of marque for arming any ship or ships, to act as privateers against the said united states of America or any of them, or the subjects and inhabitants of the said united states or any of them, or against the property of the inhabitants of any of them, from any prince or state with which the said united states of America may happen to be at war; nor shall any subject or inhabitant of the said united states of America or any of them, apply for or take any commission or letters of marque for arming any ship or ships, to act as privateers against the high and mighty lords, the states general of the united Netherlands, or against the subjects of their high mightinesses, or any of them, or against the property of any one of them, from any prince or state with which their high mightinesses may be at war: and if any person of either nation shall take such commission or letters of marque he shall be punished as a pirate.

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Art. 20. If the vessels of the subjects or inhabitants of one of the parties, come upon any coast belonging to either of the said allies, but not willing to enter into port, or being entered into port and not willing to unload their cargoes or break bulk, or take in any cargo, they shall not be obliged to pay neither for the vessels, nor the cargoes, any duties of entry in, or out, nor to render any account of their cargoes, at least if there is not just cause to presume, that they carry to an enemy, merchandizes of contraband.

Art. 21. The two contracting parties grant to each other mutually, the liberty of having each in the ports of the other consuls, vice consuls, agents and commissaries of their own appointing, whose functions shall be regulated by particular agreement, whenever either party chuse to make such appointments.

Art. 22. This treaty shall not be understood in any manner to derogate from the ninth, tenth, nineteenth and twenty-fourth articles of the treaty, with France, as they were numbered in the same treaty, concluded the sixth of February 1778, and which make the articles, ninth, tenth, seventeenth and twenty-second of the treaty of commerce now subsisting between the united states of America and the crown of France: nor shall it hinder his catholic majesty from acceding in that treaty, and enjoying the advantages of the said four articles.

Art. 23. If at any time the united states of America, shall judge necessary to commence negociations with the king or emperor of Morocco and Fez, and with the regencies of Algiers, Tunis or Tripoli, or with any of them, to obtain passports for the security of their navigation in the mediterranean sea, their high mightinesses promise, that upon the requisition which the united states of America shall make of it, they will second such negociations in the most favourable manner, by means of their consuls residing near the said king, emperor and regencies.

Contraband. Art. 24. The liberty of navigation and commerce shall extend to all forts of merchandizes, excepting only those which are distinguished under the name of

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contraband or merchandizes prohibited: and under this denomination of contraband and merchandizes prohibited shall be comprehended only warlike stores and arms, as mortars, artillery with their artifices and appurtenances, fusils, pistols, bombs, grenades, gunpowder, salt-petre, sulphur, match, bullets and balls, pikes, sabres, lances, halberts, casques, [curasses?], and other sorts of arms: as also soldiers, horses, saddles and furniture for horses. All other effects and merchandizes, not before specified expressly, and even all sorts of naval matters, however proper they may be, for the construction and equipment of vessels of war, or for the manufacture of one of another sort of machines of war, by land or sea, shall not be judged contraband, neither by the letter, nor according to any pretended interpretations whatever, ought they, or can they be comprehended, under the notion of effects prohibited or contraband: so that all effects and merchandizes, which are not expressly before named, may without any exception, and in perfect liberty be transported, by the subjects and inhabitants of both allies, from and to place belonging to the enemy, excepting only the places which at the same time shall be besieged, blocked or invested, and those places only shall be held for such, which are surrounded nearly by some of the belligerent powers.

Art. 25. To the end that all dissention and quarrel may be avoided and prevented, it has been agreed, that in case that one of the two parties happens to be at war, the vessels belonging to the subjects or inhabitants of the other ally, shall be provided with sea letters or passports, expressing the name, the property and the burthen of the vessel, or commander of the said vessel, to the end, that thereby it may appear, that the vessel really and truly belongs to subjects or inhabitants of one of the parties; which passports shall be drawn and distributed according to the form annexed to this treaty, each time that the vessel shall return, she should have such her passport renewed, or at least they ought not to be of more antient date than two years, before the vessel has been returned to her own country.

It has been also agreed that such vessels, being loaded, ought to be provided not only with the said passports or sea letters, but also with a general passport, or with particular

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passports or manifests, or other public documents, which are ordinarily given to vessels outward-bound, in the ports from whence the vessels have set sail in the last place, containing a specification of the cargo, of the place from whence the vessel departed; and of that of her destination, or instead of all these, with certificates from the magistrates or governors of cities, places, and colonies, from whence the vessel came, given in the usual form, to the end that it may be known whether there are any effects prohibited or contraband on board the vessels, and whether they are destined to be carried to an enemy's country or not. And in case any one judges proper, to express, in the said documents, the persons to whom the effects on board belong, he may do it freely, without however, being bound to do it; and the omission of such expression cannot and ought not to cause a confiscation.

Art. 26. If the vessels of the said subjects, or inhabitants of either of the parties, sailing along the coasts or on the high seas, are met by a vessel of war or privateer, or other armed vessel of the other party, the said vessels or war, privateers or armed vessels for avoiding all disorder, shall remain without the reach of cannon, but may send their boats on board the merchant vessel which they shall meet in this manner, upon which they may not pass more than two or three men, to whom the master or commander shall exhibit his passport, containing the property of the vessel, according to the form annexed to this treaty; and the vessel, after having exhibited such a passport, sea-letter and other documents, shall be free to continue her voyage, so that it shall not be lawful to molest her, or search her in any manner, nor to give her chase, nor to force her to alter her course.

Art. 27. It shall be lawful for merchants, captains and commanders of vessels, whether public, and of war, or private, and of merchants, belonging to the said united states of America, or any of them, or to their subjects and inhabitants, to take freely into their service, and receive on board of their vessels, in any port or place in the jurisdiction of their high mightinesses aforesaid, seamen or others, natives or inhabitants of any of the said states, upon such conditions as they shall agree on, without being subject for this

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to any fine, penalty, punishment, process or reprehension whatsoever: and reciprocally, all merchants, captains and commanders, belonging to the said united Netherlands, shall enjoy, in all the ports and places under the obedience of the said united states of America, the same privilege of engaging and receiving seamen, or others, native or inhabitants of any country of the domination of the said states general; provided, that neither on one side nor the other, they may not take into their service, such of their countrymen who have already engaged in the service of the other party contracting, whether in war or trade, and whether they meet them by land or sea; at least, if the captains or masters, under the command of whom such persons may be found, will not, of his own consent, discharge them from their service, upon pain of being otherwise treated and punished as deserters.

Art. 28. The affair of refraction shall be regulated in all equity and justice, by the magistrates of cities respectively, where it shall be judged that there is any room to complain in this respect.

Art. 29. The present treaty shall be ratified and approved by their high mightinesses, the states general of the united Netherlands, and by the united states of America, and the acts of ratification shall be delivered in good and due form on one side and on the other, in the space of six months, or sooner if possible, to be computed from the day of the signature.

In faith of which, we the deputies and plenipotentiaries of the lords the states general of the united Netherlands, and the minister plenipotentiary, of the united states of America, in virtue of our respective authorities and full powers have signed the present treaty and apposed thereto the seals of our arms. Done at the Hague the 8th October, 1782.

The form of the Passport which shall be given to ships and vessels in consequence of the 25th article of this Treaty.

TO ALL who shall see these presents greeting: Be it known that leave and permission are hereby given to master and commander of the ship or vessel called of the burden of tons, or thereabouts, lying at present in the port or haven of bound for and laden with to

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depart and proceed with his said ship or vessel on his said voyage, such ship or vessel having been visited, and the said master and commander having made oath before the proper officer, that the said ship or vessel belongs to one or more of the subjects, people or inhabitants of and to him or them only. In witness whereof we have subscribed our names to these presents, and affixed the seal of our arms thereto, and caused the same to be countersigned by at this day of in the year of our lord Christ.

Form of the certificate which shall be given to ships or vessels in consequence of the 25th article of this treaty.

We magistrates or officers of the customs of the city or port of do certify and attest, that on the day of in the year of our lord C.D. of personally appeared before us, and declared by solemn oath, that the ship or vessel called of tons or thereabouts, whereof of is at present master or commander, does rightfully and properly belong to him or them only —That she is now bound from the city or port of to the port of laden with goods and merchandises, hereunder particularly described and enumerated as follows: In witness whereof, we have signed this certificate, and sealed it with the seal of our office, this day of in the year of our Lord Christ.

Form of the **SEA-LETTER**.

MOST serene, serene, most puissant, puissant, high, illustrious, noble, honorable, venerable, wise and prudent lords, emperors, kings, republics, princes, dukes, earls, barons, lords, burgomasters, [schepons?], councillors, as also judges, officers, justiciaries and regents, of all the good cities and places, whether ecclesiastical or secular, who shall see these patents, or hear them read:—We, burgomasters and regents of the city of make known, that the master of appearing before us, has declared upon oath, that the vessel, called of the burthen of about lasts, which he at present navigates, is of the united provinces, and that no subjects of the enemy have any part or portion therein, directly nor indirectly, so may God Almighty help him: and as we wish to see the said master

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prosper in his lawful affairs, our prayer is, to all the before mentioned, and to each of them separately, where the said master shall arrive, with his vessel and cargo, that they may please to receive the said master with goodness, and to treat him in a becoming manner, permitting him upon the usual tolls and expences, in passing and rerepassing, to pass, navigate and frequent the ports, passes and territories, to the end, to transact his business, where and in what manner he shall judge proper; whereof we shall be willingly indebted.

In witness, and for cause whereof, we affix hereto the seal of this city. (In the Margin.)

By Ordinance of the High and Mighty Lords, the States General of the United Netherlands.

AND whereas a convention, concerning vessels re captured, was at the place and on the day abovementioned, concluded by the said minister plenipotentiary, on the part of these united states, with the said plenipotentiaries on the part of the said lords, the states general of the united Netherlands; and the same oath been this day approved and ratified by the united states in congress assembled, as it is contained in the words following, to wit.

CONVENTION between the Lords the States General of the United Netherlands and the United States of America, concerning vessels recaptured.

THE lords, the states general of the united Netherlands, and the unites states of America, being inclined to establish some uniform principles, with relation to prizes made by vessels of war, and commissioned by the two contracting powers, upon their common enemies, and to vessels o' the subjects of either party, captured by the enemy, and recaptured by vessels of war commissioned by either party; have agreed upon the following Articles.

Art. 1. The vessels of either of the two nations, recaptured by the privateers of the other, shall be restored to the first proprietor, if such vessels have not been four and twenty hours in the power of the enemy; provided the owner of the vessel recaptured pay therefor

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one third of the value of the vessel, as also of that of the cargo, the cannons and apparel; which third shall be valued by agreement between the parties, interested, or, if they cannot agree thereon among themselves, they shall address themselves to the officers of the admiralty of the place where the privateer, who has retaken the vessel, shall have conducted her.

Art. 2. If the vessel recaptured has been more than twenty four hours in the power of the enemy, she shall belong, entirely, to the privateer who has retaken her.

Art. 3. In case a vessel shall have been recaptured by a vessel of war belonging to the states general of the united Netherlands, or to the united states of America, she shall be restored to the first owner, he paying a thirtieth part of the value of the ship, her cargo, cannons and apparel, if she has been recaptured in the interval of twenty four hours, and the tenth part if she has been recaptured after the twenty four hours: which sums shall be distributed in form of gratifications to the crews of the vessels which shall have taken her. — The valuation of the said thirtieth parts and tenth parts shall be regulated according to the tenor of the first article of the present convention.

Act. 4. The restitution of prizes, whether they may have been retaken by vessels of war of by privateers, in the mean time, and until requisite and sufficient proofs can be given of the property or vessels recaptured, shall be admitted in a reasonable time, under sufficient sureties for the observation of the aforesaid articles.

Art. 5. The vessels of war and privateers, of one and of the other of the two nations, shall be reciprocally, both in Europe and in the other parts of the world, admitted in the respective ports to each, with their prizes, which may be unloaded and sold according to the formalities used in the state where the prize shall have been conducted, as far as may be consistent with the 12th article of the treaty of commerce: provided always, that the legality of prizes, by the vessels of the low countries, shall be decided conformably to the laws and regulations established in the united Netherlands; as likewise, that of

Library of Congress

prizes made by American vessels, shall be judged according to the laws and regulations determined by the united states of America.

Art. 6. Moreover it shall be free for the states general of the united Netherlands, as well as for the united states of America, to make such regulations as they shall judge necessary, relative to the conduct which their respective vessels and privateers ought to hold in relation to the vessels which they shall have taken and conducted into the ports of the two powers.

In faith of which, WE, the deputies and plenipotentiaries of the lords the state general of the united Netherlands, and minister plenipotentiary of the united states of America, have in virtue of our respective authorities and full powers, signed these presents, and confirmed the same with the seal of oath arms.

Done at the Hague, the 8th of October, 1782.

NOW therefore, to the end that the said treaty and convention may, with all good faith, be performed and observed on the part of these united states, all the citizens and inhabitants thereof, and more especially all captains, and other officers and seamen belonging to any vessels of war of these united states or any of them, or of any private armed vessels commissioned by congress, are hereby enjoined and required to govern themselves strictly in all things according to the stipulations above recited.

DONE in Congress this twenty third day of January, in the year of our Lord one thousand seven hundred and eighty-three; and of our sovereignty and independence the seventh.

ELIAS BOUDINOT, President. **CHARLES THOMSON**, Sec'ry.